

Service Date: May 4, 1987

FINAL ORDER NO. 5778

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	DOCKET NO. T-9039
JAMES M. AND CAROL L. HAYES DBA VALLEY)	
STAGE BUS LINE, Kalispell, Montana,)	ORDER NO. 5778
for a Certificate of Public Conven-)	
ience and Necessity.)	

The Commission, having taken evidence and being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On January 19, 1987, James M. and Carol L. Hayes dba Valley Stage Bus Line, 1120 Helena Flats Road, Kalispell, Montana 59901, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing the transportation of persons, baggage and express, Class A, between Kalispell and Libby, Montana, and between Kalispell, Whitefish and Columbia Falls, Montana, serving intermediate and off-route points of Kila, Marion, McGregor Lake (Saddle Tramp) and Happy's Inn.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public February 4, 1987. That notice said in pertinent part:

If no written protests are received by February 24, 1987, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. A protests was filed February 20, 1987, by James E. Michael, owner of PSC No. 56. The protest was subsequently withdrawn on April 3, 1987.

4. The record of this application is available for inspection at the

Public Service Commission Office, 2701 Prospect Avenue, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.
2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.
3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 2701 Prospect Avenue, Helena, Montana, on the 4th day of May, 1987, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-9039, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of JAMES M. AND CAROL L. HAYES DBA VALLEY STAGE BUS LINE, Kalispell, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class A: Persons, baggage and express between Kalispell and Libby, Montana, and between Kalispell, Whitefish, and Columbia Falls, Montana, serving intermediate and off-route points of Kila, Marion, McGregor Lake (Saddle Tramp), and Happy's Inn.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the Applicant herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 4th day of May, 1987, by a vote of 5- 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

CLYDE JARVIS, Chairman

HOWARD L. ELLIS, Vice Chairman

JOHN B. DRISCOLL, Commissioner

DANNY OBERG, Commissioner

TOM MONAHAN, Commissioner

ATTEST:

Ann Purcell
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.